

11012067

FORM B1		United States Bankruptcy Court District of Western New York	Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Petrea, David R.		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec./Tax I.D. No. (if more than one, state all): xxx-xx-3102		Last four digits of Soc. Sec./Tax I.D. No. (if more than one, state all):	
Street Address of Debtor (No. & Street, City, State & Zip Code): 80A Embassy Sq. Tonawanda, NY 14150		Street Address of Joint Debtor (No. & Street, City, State & Zip Code):	
County of Residence or of the Principal Place of Business: Erie		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address):		Mailing Address of Debtor (if different from street address): 04-11792	
Location of Principal Assets of Business Debtor (if different from street address above):			

Information Regarding the Debtor (Check Applicable Boxes)

Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner or partnership pending in this District.																									
Type of Debtor (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank	Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding																								
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business	Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay the fee except in installments. Rule 1006(b). See Official Form No. 3.																								
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)																									
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to creditors.																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="6">Estimated Number of Creditors</th> </tr> <tr> <th>1-15</th> <th>16-49</th> <th>50-99</th> <th>100-199</th> <th>200-999</th> <th>1000-over</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		Estimated Number of Creditors						1-15	16-49	50-99	100-199	200-999	1000-over	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
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This Space For Court Use Only

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U.S. BANKRUPTCY COURT
DISTRICT OF WESTERN NEW YORK

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s):	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor:	Case Number:	Date Filed:	
District:	Relationship:	Judge:	

Signatures	
<p>Signature(s) of Debtor(s) (Individual/Joint)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>(If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>David R. Petrea</u> Signature of Debtor DAVID R. PETREA</p> <p>X _____ Signature of Joint Debtor</p> <p>Telephone Number (If not represented by attorney) _____ Date <u>3/15/04</u></p> <p>X <u>George J. Navagh</u> Signature of Attorney for Debtor(s) GEORGE J. NAVAGH</p> <p>Printed Name of Attorney for Debtor(s) Bar ID Number _____ Firm Name <u>Law Offices of</u> GEORGE J. NAVAGH Address <u>1110 Cathedral Park Tower</u> <u>37 Franklin St.</u> <u>Buffalo, NY 14202</u> <u>(716) 842-6230 ext 22</u> Telephone Number _____ Date <u>3/15/04</u></p> <p>Signature of Debtor (Corporation/Partnership)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Authorized Individual</p> <p>Printed Name of Authorized Individual _____</p> <p>Title of Authorized Individual _____</p> <p>Date _____</p>	<p style="text-align: center;">Exhibit A</p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p> <hr/> <p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.</p> <p>X <u>George J. Navagh</u> <u>3/15/04</u> Signature of Attorney for Debtor(s) Date</p> <hr/> <p style="text-align: center;">Exhibit C</p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No</p> <hr/> <p style="text-align: center;">Signature of Non-Attorney Petition Preparer</p> <p>I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.</p> <p>Printed Name of Bankruptcy Petition Preparer _____</p> <p>Social Security Number (Required by 11 U.S.C. § 110) _____</p> <p>Address _____</p> <p>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p>X _____ Signature of Bankruptcy Petition Preparer</p> <p>Date _____</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</p>

United States Bankruptcy Court

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**United States Bankruptcy Court  
Western District of New York**

In re David R. Petrea  
Debtor

Case No. \_\_\_\_\_

Chapter 7

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

|                                                    |                   |                   | AMOUNTS SCHEDULED |             |          |
|----------------------------------------------------|-------------------|-------------------|-------------------|-------------|----------|
| NAME OF SCHEDULE                                   | ATTACHED (YES/NO) | NO. OF SHEETS     | ASSETS            | LIABILITIES | OTHER    |
| A - Real Property                                  | Yes               | 1                 | 0.00              |             |          |
| B - Personal Property                              | Yes               | 3                 | 9,100.00          |             |          |
| C - Property Claimed as Exempt                     | Yes               | 1                 |                   |             |          |
| D - Creditors Holding Secured Claims               | Yes               | 1                 |                   | 20,400.00   |          |
| E - Creditors Holding Unsecured Priority Claims    | Yes               | 1                 |                   | 0.00        |          |
| F - Creditors Holding Unsecured Nonpriority Claims | Yes               | 3                 |                   | 12,595.00   |          |
| G - Executory Contracts and Unexpired Leases       | Yes               | 1                 |                   |             |          |
| H - Codebtors                                      | Yes               | 1                 |                   |             |          |
| I - Current Income of Individual Debtor(s)         | Yes               | 1                 |                   |             | 2,162.00 |
| J - Current Expenditures of Individual Debtor(s)   | Yes               | 1                 |                   |             | 2,391.00 |
| Total Number of Sheets of ALL Schedules            |                   | 14                |                   |             |          |
|                                                    |                   | Total Assets      | 9,100.00          |             |          |
|                                                    |                   | Total Liabilities |                   | 32,995.00   |          |

Debtor

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. (See Schedule D.) If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| Description and Location of Property | Nature of Debtor's Interest in Property | Husband, Wife, Joint, or Community | Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption | Amount of Secured Claim |
|--------------------------------------|-----------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------|
|--------------------------------------|-----------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------|

**None**

0 continuation sheets attached to the Schedule of Real Property

Total > **0.00**

(Report also on Summary of Schedules)

Debtor

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

| Type of Property                                                                                                                                                                                                             | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Market Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 1. Cash on hand                                                                                                                                                                                                              | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.                                                                                                                                      | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 4. Household goods and furnishings, including audio, video, and computer equipment.                                                                                                                                          |                  | <b>Household Furnishings</b>         | -                                           | <b>1,000.00</b>                                                                                                  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.                                                                                          | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 6. Wearing apparel.                                                                                                                                                                                                          |                  | <b>Personal clothing</b>             | -                                           | <b>500.00</b>                                                                                                    |
| 7. Furs and jewelry.                                                                                                                                                                                                         | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 8. Firearms and sports, photographic, and other hobby equipment.                                                                                                                                                             | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.                                                                                                     | <b>X</b>         |                                      |                                             |                                                                                                                  |
|                                                                                                                                                                                                                              |                  |                                      | Sub-Total >                                 | <b>1,500.00</b>                                                                                                  |
|                                                                                                                                                                                                                              |                  |                                      | (Total of this page)                        |                                                                                                                  |

2 continuation sheets attached to the Schedule of Personal Property

In re **David R. Petrea**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

| Type of Property                                                                                                                                                      | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Market Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 10. Annuities. Itemize and name each issuer.                                                                                                                          | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.                                                                                | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 12. Stock and interests in incorporated and unincorporated businesses. Itemize.                                                                                       | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 13. Interests in partnerships or joint ventures. Itemize.                                                                                                             | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 14. Government and corporate bonds and other negotiable and nonnegotiable instruments.                                                                                | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 15. Accounts receivable.                                                                                                                                              | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.                                              | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 17. Other liquidated debts owing debtor including tax refunds. Give particulars.                                                                                      | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property. | <b>X</b>         |                                      |                                             |                                                                                                                  |
| 19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.                                              | <b>X</b>         |                                      |                                             |                                                                                                                  |

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Sub-Total > **0.00**  
(Total of this page)Sheet 1 of 2 continuation sheets attached  
to the Schedule of Personal Property

In re **David R. Petrea**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE B - PERSONAL PROPERTY

### (Continuation Sheet)

| Type of Property                                                                                                                                                             | N<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Market Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each. | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 21. Patents, copyrights, and other intellectual property. Give particulars.                                                                                                  | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 22. Licenses, franchises, and other general intangibles. Give particulars.                                                                                                   | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 23. Automobiles, trucks, trailers, and other vehicles and accessories.                                                                                                       |                  | <b>1984 Harley Davidson Motorcycle</b> | -                                           | <b>4,500.00</b>                                                                                                  |
|                                                                                                                                                                              |                  | <b>1999 Chevrolet Pickup Truck</b>     | -                                           | <b>3,100.00</b>                                                                                                  |
| 24. Boats, motors, and accessories.                                                                                                                                          | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 25. Aircraft and accessories.                                                                                                                                                | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 26. Office equipment, furnishings, and supplies.                                                                                                                             | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 27. Machinery, fixtures, equipment, and supplies used in business.                                                                                                           | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 28. Inventory.                                                                                                                                                               | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 29. Animals.                                                                                                                                                                 | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 30. Crops - growing or harvested. Give particulars.                                                                                                                          | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 31. Farming equipment and implements.                                                                                                                                        | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 32. Farm supplies, chemicals, and feed.                                                                                                                                      | <b>X</b>         |                                        |                                             |                                                                                                                  |
| 33. Other personal property of any kind not already listed.                                                                                                                  | <b>X</b>         |                                        |                                             |                                                                                                                  |

|                      |                 |
|----------------------|-----------------|
| Sub-Total >          | <b>7,600.00</b> |
| (Total of this page) |                 |
| Total >              | <b>9,100.00</b> |

Sheet 2 of 2 continuation sheets attached  
to the Schedule of Personal Property

(Report also on Summary of Schedules)

In re **David R. Petrea**  
Debtor

Case No. \_\_\_\_\_

### SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

*[Check one box]*

- ☐ 11 U.S.C. §522(b)(1): Exemptions provided in 11 U.S.C. §522(d). Note: These exemptions are available only in certain states.
- ☒ 11 U.S.C. §522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

| Description of Property                       | Specify Law Providing Each Exemption | Value of Claimed Exemption | Current Market Value of Property Without Deducting Exemption |
|-----------------------------------------------|--------------------------------------|----------------------------|--------------------------------------------------------------|
| <b><u>Household Goods and Furnishings</u></b> |                                      |                            |                                                              |
| Household Furnishings                         | NYCPLR § 5205(a)(5)                  | 1,000.00                   | 1,000.00                                                     |
| <b><u>Wearing Apparel</u></b>                 |                                      |                            |                                                              |
| Personal clothing                             | NYCPLR § 5205(a)(5)                  | 500.00                     | 500.00                                                       |

0 continuation sheets attached to Schedule of Property Claimed as Exempt

Debtor

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS, INCLUDING ZIP CODE                                                                             | CODEBTOR<br>H<br>W<br>J<br>C | Husband, Wife, Joint, or Community                                                                    | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION IF ANY |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------|------------|--------------|----------|-------------------------------------------------------|--------------------------|
|                                                                                                                                     |                              | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN |            |              |          |                                                       |                          |
| Account No. <b>00519901075733</b><br><br><b>Bank One Loan Servicing</b><br><b>PO Box 901008</b><br><b>Fort Worth, TX 76101-2008</b> |                              | -                                                                                                     |            |              |          |                                                       |                          |
|                                                                                                                                     |                              | 2000<br>Security Interest<br>1999 Chevrolet Pickup Truck<br><br>Value \$ 3,100.00                     |            |              |          | 6,400.00                                              | 3,300.00                 |
| Account No.<br><br><b>Key Bank National Association</b><br><b>50 Fountain Plaza</b><br><b>Buffalo, NY 14202</b>                     |                              | X -                                                                                                   |            |              |          |                                                       |                          |
|                                                                                                                                     |                              | 1998<br>Security Interest<br>1984 Harley Davidson Motorcycle<br><br>Value \$ 4,500.00                 |            |              |          | 14,000.00                                             | 9,500.00                 |
| Account No.<br><br>                                                                                                                 |                              |                                                                                                       |            |              |          |                                                       |                          |
|                                                                                                                                     |                              | Value \$                                                                                              |            |              |          |                                                       |                          |
| Account No.<br><br>                                                                                                                 |                              |                                                                                                       |            |              |          |                                                       |                          |
|                                                                                                                                     |                              | Value \$                                                                                              |            |              |          |                                                       |                          |
| Subtotal<br>(Total of this page)                                                                                                    |                              |                                                                                                       |            |              |          | <b>20,400.00</b>                                      |                          |
| Total<br>(Report on Summary of Schedules)                                                                                           |                              |                                                                                                       |            |              |          | <b>20,400.00</b>                                      |                          |

0 continuation sheets attached

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of this petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4000\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507 (a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4000\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$1,800\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

\*Amounts are subject to adjustment on April 1, 1998, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0 continuation sheets attached

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                                                                                   | CODEBTOR<br>H<br>W<br>J<br>C | Husband, Wife, Joint, or Community | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|-----------------------------------------------------------------------------------------------|------------|--------------|----------|-----------------|
|                                                                                                                                          |                              |                                    |                                                                                               |            |              |          |                 |
| Account No. <b>640222-10-104821-9</b><br><br><b>Beneficial Finance</b><br><b>PO Box 17574</b><br><b>Baltimore, MD 21297-1574</b>         | -                            |                                    | <b>1996</b><br><br><b>Credit Card</b>                                                         |            |              |          | <b>1,560.00</b> |
| Account No. <b>4735 3100 0981 6551</b><br><br><b>Buffalo Postal Community FCU</b><br><b>PO Box 1628</b><br><b>Buffalo, NY 14240-1628</b> | X                            | J                                  | <b>1994</b><br><br><b>Loan</b>                                                                |            |              |          | <b>650.00</b>   |
| Account No. <b>5178 0522 9783 3804</b><br><br><b>Capital One Bank</b><br><b>PO Box 85147</b><br><b>Richmond, VA 23276</b>                | -                            |                                    | <b>2003</b><br><br><b>Credit Card</b>                                                         |            |              |          | <b>405.00</b>   |
| Account No. <b>4388 6417 7501 5279</b><br><br><b>Capital One Bank</b><br><b>PO Box 85147</b><br><b>Baltimore, MD 23276</b>               | -                            |                                    | <b>1997</b><br><br><b>Credit Card</b>                                                         |            |              |          | <b>1,560.00</b> |
| Subtotal<br>(Total of this page)                                                                                                         |                              |                                    |                                                                                               |            |              |          | <b>4,175.00</b> |

2 continuation sheets attached

In re **David R. Petrea**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                                                                                             | C<br>O<br>D<br>E<br>D<br>E<br>B<br>T<br>O<br>R | H<br>W<br>J<br>C | Husband, Wife, Joint, or Community                                                            | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF CLAIM                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------|--------------------------------------|---------------------------------------------------------|
|                                                                                                                                                    |                                                |                  | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. |                                                |                                                          |                                      |                                                         |
| Account No. <b>5189 1310 0320 8043</b><br><br><b>Card Service Center</b><br><b>PO Box 9201</b><br><b>Old Bethpage, NY 11804-9201</b>               |                                                |                  | <b>1998</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>1,810.00</b>                                         |
| Account No. <b>5424 1804 8824 3202</b><br><br><b>Citibank</b><br><b>CitiCards</b><br><b>PO Box 8109</b><br><b>S. Hackensack, NJ 07606-8109</b>     |                                                | <b>X J</b>       | <b>1997</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>1,650.00</b>                                         |
| Account No. <b>46633 &amp; 48177</b><br><br><b>Dent Neurologic Institute</b><br><b>8759 Main St.</b><br><b>Buffalo, NY 14221</b>                   |                                                |                  | <b>2000</b><br><br><b>Medical Services</b>                                                    |                                                |                                                          |                                      | <b>700.00</b>                                           |
| Account No. <b>1523 0031 6069 8116</b><br><br><b>First North American National Bank</b><br><b>PO Box 830008</b><br><b>Baltimore, MD 21283-0008</b> |                                                |                  | <b>1997</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>2,300.00</b>                                         |
| Account No. <b>6034 5900 0402 7758</b><br><br><b>Monogram CC Bank GA</b><br><b>PO Box 9001557</b><br><b>Louisville, KY 40290-1557</b>              |                                                |                  | <b>2003</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>1,360.00</b>                                         |
| Sheet no. <u>1</u> of <u>2</u> sheets attached to Schedule of<br>Creditors Holding Unsecured Nonpriority Claims                                    |                                                |                  |                                                                                               |                                                |                                                          |                                      | <b>Subtotal</b><br>(Total of this page) <b>7,820.00</b> |

In re **David R. Petrea**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                                                                                          | C<br>O<br>D<br>E<br>B<br>O<br>R | H<br>W<br>J<br>C | Husband, Wife, Joint, or Community                                                            | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF CLAIM                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------|--------------------------------------|-------------------------------------------------------|
|                                                                                                                                                 |                                 |                  | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. |                                                |                                                          |                                      |                                                       |
| Account No. <b>03 63588 86444 9</b><br><br><b>Sears</b><br><b>PO Box 182149</b><br><b>Columbus, OH 43218-2149</b>                               | <b>X</b>                        | <b>J</b>         | <b>1997</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>600.00</b>                                         |
| Account No. <b>4190 0303 4153 1779</b><br><br><b>US Bank National Association ND</b><br><b>PO Box 790409</b><br><b>St. Louis, MO 63179-0409</b> |                                 |                  | <b>1993</b><br><br><b>Credit Card</b>                                                         |                                                |                                                          |                                      | <b>Unknown</b>                                        |
| Account No.<br><br>                                                                                                                             |                                 |                  |                                                                                               |                                                |                                                          |                                      |                                                       |
| Account No.<br><br>                                                                                                                             |                                 |                  |                                                                                               |                                                |                                                          |                                      |                                                       |
| Account No.<br><br>                                                                                                                             |                                 |                  |                                                                                               |                                                |                                                          |                                      |                                                       |
| Sheet no. <b>2</b> of <b>2</b> sheets attached to Schedule of<br>Creditors Holding Unsecured Nonpriority Claims                                 |                                 |                  |                                                                                               |                                                |                                                          |                                      | <b>Subtotal</b><br>(Total of this page) <b>600.00</b> |
| Total<br>(Report on Summary of Schedules)                                                                                                       |                                 |                  |                                                                                               |                                                |                                                          |                                      | <b>12,595.00</b>                                      |

Debtor

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☒ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code,  
of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.  
State whether lease is for nonresidential real property.  
State contract number of any government contract.

0 continuation sheets attached to Schedule of Executory Contracts and Unexpired Leases

Debtor

**SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☐ Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR                                      | NAME AND ADDRESS OF CREDITOR                                                     |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <b>Kasha Petrea<br/>10316 Leon Road<br/>Cattaraugus, NY 14719</b> | <b>Citibank<br/>CitiCards<br/>PO Box 8109<br/>S. Hackensack, NJ 07606-8109</b>   |
| <b>Kasha Petrea<br/>10316 Leon Road<br/>Cattaraugus, NY 14719</b> | <b>Sears<br/>PO Box 182149<br/>Columbus, OH 43218-2149</b>                       |
| <b>Kasha Petrea<br/>10316 Leon Road<br/>Cattaraugus, NY 14719</b> | <b>Buffalo Postal Community FCU<br/>PO Box 1628<br/>Buffalo, NY 14240-1628</b>   |
| <b>Kasha Petrea<br/>10316 Leon Road<br/>Cattaraugus, NY 14719</b> | <b>Key Bank National Association<br/>50 Fountain Plaza<br/>Buffalo, NY 14202</b> |

0 continuation sheets attached to Schedule of Codebtors

Debtor

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

|                                               |                                               |        |              |
|-----------------------------------------------|-----------------------------------------------|--------|--------------|
| Debtor's Marital Status:<br><br><b>Single</b> | DEPENDENTS OF DEBTOR AND SPOUSE               |        |              |
|                                               | NAMES<br><b>None.</b>                         | AGE    | RELATIONSHIP |
| <b>EMPLOYMENT:</b>                            |                                               | DEBTOR | SPOUSE       |
| Occupation                                    | <b>Fabricator &amp; Glazier</b>               |        |              |
| Name of Employer                              | <b>TCR Enterprises Inc.</b>                   |        |              |
| How long employed                             |                                               |        |              |
| Address of Employer                           | <b>248 Lein Rd.<br/>West Seneca, NY 14224</b> |        |              |

INCOME: (Estimate of average monthly income)

Current monthly gross wages, salary, and commissions (pro rate if not paid monthly)

Estimated monthly overtime

SUBTOTAL

## LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify)

SUBTOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

Regular income from operation of business or profession or farm (attach detailed statement)

Income from real property

Interest and dividends

Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

Social security or other government assistance (Specify)

Pension or retirement income

Other monthly income (Specify)

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY INCOME \$ **2,162.00**

DEBTOR

SPOUSE

|                    |               |
|--------------------|---------------|
| \$ <b>3,285.00</b> | \$ <b>N/A</b> |
| \$ <b>0.00</b>     | \$ <b>N/A</b> |
| \$ <b>3,285.00</b> | \$ <b>N/A</b> |

|                    |               |
|--------------------|---------------|
| \$ <b>1,123.00</b> | \$ <b>N/A</b> |
| \$ <b>0.00</b>     | \$ <b>N/A</b> |
| \$ <b>0.00</b>     | \$ <b>N/A</b> |
| \$ <b>0.00</b>     | \$ <b>N/A</b> |
| \$ <b>0.00</b>     | \$ <b>N/A</b> |
| \$ <b>1,123.00</b> | \$ <b>N/A</b> |
| \$ <b>2,162.00</b> | \$ <b>N/A</b> |

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
| \$ <b>0.00</b> | \$ <b>N/A</b> |
| \$ <b>0.00</b> | \$ <b>N/A</b> |

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                |               |
|----------------|---------------|
| \$ <b>0.00</b> | \$ <b>N/A</b> |
|----------------|---------------|

|                    |               |
|--------------------|---------------|
| \$ <b>2,162.00</b> | \$ <b>N/A</b> |
|--------------------|---------------|

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

Debtor

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

|                                                                                                      |           |                 |
|------------------------------------------------------------------------------------------------------|-----------|-----------------|
| Rent or home mortgage payment (include lot rented for mobile home)                                   | \$        | <b>510.00</b>   |
| Are real estate taxes included? Yes _____ No <u>X</u>                                                |           |                 |
| Is property insurance included? Yes _____ No <u>X</u>                                                |           |                 |
| Utilities: Electricity and heating fuel                                                              | \$        | <b>60.00</b>    |
| Water and sewer                                                                                      | \$        | <b>0.00</b>     |
| Telephone                                                                                            | \$        | <b>90.00</b>    |
| Other <u>Cable</u>                                                                                   | \$        | <b>60.00</b>    |
| Home maintenance (repairs and upkeep)                                                                | \$        | <b>0.00</b>     |
| Food                                                                                                 | \$        | <b>500.00</b>   |
| Clothing                                                                                             | \$        | <b>75.00</b>    |
| Laundry and dry cleaning                                                                             | \$        | <b>40.00</b>    |
| Medical and dental expenses                                                                          | \$        | <b>100.00</b>   |
| Transportation (not including car payments)                                                          | \$        | <b>260.00</b>   |
| Recreation, clubs and entertainment, newspapers, magazines, etc.                                     | \$        | <b>0.00</b>     |
| Charitable contributions                                                                             | \$        | <b>0.00</b>     |
| Insurance (not deducted from wages or included in home mortgage payments)                            |           |                 |
| Homeowner's or renter's                                                                              | \$        | <b>10.00</b>    |
| Life                                                                                                 | \$        | <b>0.00</b>     |
| Health                                                                                               | \$        | <b>0.00</b>     |
| Auto                                                                                                 | \$        | <b>150.00</b>   |
| Other <u>motorcycle</u>                                                                              | \$        | <b>20.00</b>    |
| Taxes (not deducted from wages or included in home mortgage payments)                                |           |                 |
| (Specify) _____                                                                                      | \$        | <b>0.00</b>     |
| Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan.) |           |                 |
| Auto                                                                                                 | \$        | <b>516.00</b>   |
| Other                                                                                                | \$        | <b>0.00</b>     |
| Other                                                                                                | \$        | <b>0.00</b>     |
| Other                                                                                                | \$        | <b>0.00</b>     |
| Alimony, maintenance, and support paid to others                                                     | \$        | <b>0.00</b>     |
| Payments for support of additional dependents not living at your home                                | \$        | <b>0.00</b>     |
| Regular expenses from operation of business, profession, or farm (attach detailed statement)         | \$        | <b>0.00</b>     |
| Other                                                                                                | \$        | <b>0.00</b>     |
| Other                                                                                                | \$        | <b>0.00</b>     |
| <b>TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)</b>                                  | <b>\$</b> | <b>2,391.00</b> |

**[FOR CHAPTER 12 AND 13 DEBTORS ONLY]**

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

|                                                 |    |            |
|-------------------------------------------------|----|------------|
| A. Total projected monthly income               | \$ | <u>N/A</u> |
| B. Total projected monthly expenses             | \$ | <u>N/A</u> |
| C. Excess income (A minus B)                    | \$ | <u>N/A</u> |
| D. Total amount to be paid into plan each _____ | \$ | <u>N/A</u> |
| (interval)                                      |    |            |

United States Bankruptcy Court  
Western District of New York

In re David R. Petrea

Debtor

Case No. \_\_\_\_\_

Chapter 7

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**  
**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 15 sheets [total shown on summary page plus 1], and that they are true and correct to the best of my knowledge, information, and belief.

Date

3-11-04

Signature

David R. Petrea

David R. Petrea  
Debtor

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C §§ 152 and 3571.*

**United States Bankruptcy Court  
Western District of New York**

In re **David R. Petrea**

Debtor

Case No. \_\_\_\_\_

Chapter 7

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16 - 21. **If the answer to any question is "None," or the question is not applicable, mark the box labeled "None".** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of the this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None



State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

**\$33,274.00**

**2002 Income**

**\$35,199.00**

**2003 Income**

**\$8,200.00**

**2004 Income**

**2. Income other than from employment or operation of business**

None



State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

**3. Payments to creditors**

None



a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF CREDITOR

DATES OF  
PAYMENTS

AMOUNT PAID

AMOUNT STILL  
OWING

None ☐ b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR AND<br>RELATIONSHIP TO DEBTOR | DATE OF PAYMENT | AMOUNT PAID | AMOUNT STILL<br>OWING |
|------------------------------------------------------------|-----------------|-------------|-----------------------|
|------------------------------------------------------------|-----------------|-------------|-----------------------|

**4. Suits, executions, garnishments and attachments**

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT<br>AND CASE NUMBER | NATURE OF<br>PROCEEDING | COURT OR AGENCY<br>AND LOCATION | STATUS OR<br>DISPOSITION |
|------------------------------------|-------------------------|---------------------------------|--------------------------|
|------------------------------------|-------------------------|---------------------------------|--------------------------|

None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF PERSON FOR WHOSE<br>BENEFIT PROPERTY WAS SEIZED | DATE OF SEIZURE | DESCRIPTION AND VALUE OF<br>PROPERTY |
|---------------------------------------------------------------------|-----------------|--------------------------------------|
|---------------------------------------------------------------------|-----------------|--------------------------------------|

**5. Repossessions, foreclosures and returns**

None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF<br>CREDITOR OR SELLER | DATE OF REPOSSESSION,<br>FORECLOSURE SALE,<br>TRANSFER OR RETURN | DESCRIPTION AND VALUE OF<br>PROPERTY |
|-------------------------------------------|------------------------------------------------------------------|--------------------------------------|
|-------------------------------------------|------------------------------------------------------------------|--------------------------------------|

**6. Assignments and receiverships**

None ☐ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF ASSIGNEE | DATE OF<br>ASSIGNMENT | TERMS OF ASSIGNMENT OR SETTLEMENT |
|------------------------------|-----------------------|-----------------------------------|
|------------------------------|-----------------------|-----------------------------------|

None ☐ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF CUSTODIAN | NAME AND LOCATION<br>OF COURT,<br>CASE TITLE & NUMBER | DATE OF<br>ORDER | DESCRIPTION AND VALUE<br>OF PROPERTY |
|----------------------------------|-------------------------------------------------------|------------------|--------------------------------------|
|----------------------------------|-------------------------------------------------------|------------------|--------------------------------------|

**7. Gifts**

None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF<br>PERSON OR ORGANIZATION | RELATIONSHIP TO<br>DEBTOR, IF ANY | DATE OF GIFT | DESCRIPTION AND<br>VALUE OF GIFT |
|-----------------------------------------------|-----------------------------------|--------------|----------------------------------|
|-----------------------------------------------|-----------------------------------|--------------|----------------------------------|

**8. Losses**

None ☐ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| DESCRIPTION AND VALUE<br>OF PROPERTY | DESCRIPTION OF CIRCUMSTANCES AND, IF<br>LOSS WAS COVERED IN WHOLE OR IN PART<br>BY INSURANCE, GIVE PARTICULARS | DATE OF LOSS |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------|

**9. Payments related to debt counseling or bankruptcy**

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS<br>OF PAYEE | DATE OF PAYMENT,<br>NAME OF PAYOR IF OTHER<br>THAN DEBTOR | AMOUNT OF MONEY<br>OR DESCRIPTION AND VALUE<br>OF PROPERTY |
|------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
|------------------------------|-----------------------------------------------------------|------------------------------------------------------------|

**10. Other transfers**

None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF TRANSFEREE,<br>RELATIONSHIP TO DEBTOR | DATE | DESCRIBE PROPERTY TRANSFERRED<br>AND VALUE RECEIVED |
|-----------------------------------------------------------|------|-----------------------------------------------------|
|-----------------------------------------------------------|------|-----------------------------------------------------|

**11. Closed financial accounts**

None ☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF INSTITUTION | TYPE AND NUMBER OF<br>ACCOUNT AND AMOUNT OF<br>FINAL BALANCE | AMOUNT AND DATE OF SALE<br>OR CLOSING |
|---------------------------------|--------------------------------------------------------------|---------------------------------------|
|---------------------------------|--------------------------------------------------------------|---------------------------------------|

**12. Safe deposit boxes**

None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF BANK OR OTHER<br>DEPOSITORY | NAMES AND ADDRESSES<br>OF THOSE WITH ACCESS<br>TO BOX OR DEPOSITORY | DESCRIPTION<br>OF CONTENTS | DATE OF TRANSFER OR<br>SURRENDER, IF ANY |
|-------------------------------------------------|---------------------------------------------------------------------|----------------------------|------------------------------------------|
|-------------------------------------------------|---------------------------------------------------------------------|----------------------------|------------------------------------------|

**13. Setoffs**

None ☐ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE OF SETOFF | AMOUNT OF SETOFF |
|------------------------------|----------------|------------------|
|------------------------------|----------------|------------------|

**14. Property held for another person**

None ☐ List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS OF OWNER | DESCRIPTION AND VALUE OF<br>PROPERTY | LOCATION OF PROPERTY |
|---------------------------|--------------------------------------|----------------------|
|---------------------------|--------------------------------------|----------------------|

**15. Prior address of debtor**

None ☐ If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF OCCUPANCY |
|---------|-----------|--------------------|
|---------|-----------|--------------------|

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16. Spouses and Former Spouses

None



If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

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17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

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None



- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

| SITE NAME<br>AND ADDRESS | NAME AND ADDRESS<br>OF GOVERNMENTAL UNIT | DATE OF<br>NOTICE | ENVIRONMENTAL<br>LAW |
|--------------------------|------------------------------------------|-------------------|----------------------|
|--------------------------|------------------------------------------|-------------------|----------------------|

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None



- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

| SITE NAME<br>AND ADDRESS | NAME AND ADDRESS<br>OF GOVERNMENTAL UNIT | DATE OF<br>NOTICE | ENVIRONMENTAL<br>LAW |
|--------------------------|------------------------------------------|-------------------|----------------------|
|--------------------------|------------------------------------------|-------------------|----------------------|

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None



- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with

respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS  
OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR  
DISPOSITION

18. Nature, location and name of business

None



- a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

| NAME | TAXPAYER<br>I.D. NUMBER | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING<br>DATES |
|------|-------------------------|---------|--------------------|-------------------------------|
|------|-------------------------|---------|--------------------|-------------------------------|

None



- b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

| NAME | ADDRESS |
|------|---------|
|------|---------|

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 3-11-04

Signature David R. Petrea  
David R. Petrea  
Debtor

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C §§. 152 and 3571.*

**United States Bankruptcy Court  
Western District of New York**

In re David R. Petrea

Debtor

Case No. \_\_\_\_\_

Chapter 7

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

*a. Property to Be Surrendered.*

Description of Property

Creditor's name

**NONE.**

*b. Property to Be Retained*

[Check any applicable statement.]

- Description of property
1. 1999 Chevrolet Pickup Truck
  2. 1984 Harley Davidson Motorcycle

Creditor's name  
**Bank One Loan Servicing**

**Key Bank National Association**

|                                     |                                                                      |                                                                                |
|-------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------|
|                                     | Property<br>will be<br>redeemed<br>pursuant to<br>11 U.S.C.<br>§ 722 | Debt will be<br>reaffirmed<br>pursuant to<br>11 U.S.C.<br>§ 524(c)<br><b>X</b> |
| Property<br>is claimed<br>as exempt |                                                                      |                                                                                |

**X**

Date

3-11-04

Signature

David R. Petrea  
Debtor

United States Bankruptcy Court  
Western District of New York

In re David R. Petrea

Debtor

Case No. \_\_\_\_\_

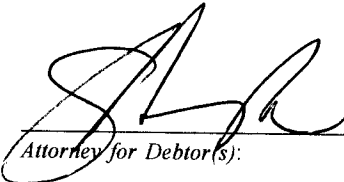
Chapter 7

**COMPENSATION STATEMENT OF ATTORNEY FOR THE DEBTOR(S)**

1. The undersigned is the attorney for the debtor(s) in this case.
2. The total compensation promised the undersigned by the debtor(s) for the services rendered or to be rendered in connection with this case is \$ 800.00 ; the only compensation which has been received from the debtor(s) or any other person on said account is \$ 800.00 ; the balance due thereon is \$ 0.00 ; and the source of compensation paid or promised, if a source other than the debtor(s), is:
3. The undersigned further states that no understanding or agreement exists for a division of fees or compensation between the undersigned and any other person or entity, except any agreement he may have for the sharing of his compensation with a member or members or regular associate of his law firm and except:
4. \$ 209.00 of the filing fee has been paid.

Date

3/15/04

  
Attorney for Debtor(s):

*[Required by Rule 2016(b) to be filed and transmitted to the United States Trustee within 15 days after the order for relief.  
(Not to be filed in lieu of an Application for Compensation which may be filed pursuant to Bankruptcy Rule 2016.)]*

**COMPENSATION STATEMENT OF ATTORNEY FOR THE DEBTOR(S)**

Bank One Loan Servicing  
PO Box 901008  
Fort Worth, TX 76101-2008

Beneficial Finance  
PO Box 17574  
Baltimore, MD 21297-1574

Buffalo Postal Community FCU  
PO Box 1628  
Buffalo, NY 14240-1628

Capital One Bank  
PO Box 85147  
Baltimore, MD 23276

Card Service Center  
PO Box 9201  
Old Bethpage, NY 11804-9201

Citibank  
CitiCards  
PO Box 8109  
S. Hackensack, NJ 07606-8109

Dent Neurologic Institute  
8759 Main St.  
Buffalo, NY 14221

First North American National Bank  
PO Box 830008  
Baltimore, MD 21283-0008

Key Bank National Association  
50 Fountain Plaza  
Buffalo, NY 14202

Monogram CC Bank GA  
PO Box 9001557  
Louisville, KY 40290-1557

Sears  
PO Box 182149  
Columbus, OH 43218-2149

US Bank National Association ND  
PO Box 790409  
St. Louis, MO 63179-0409